

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IMMANUEL CAMPBELL, *et al.*,

Plaintiffs,

v.

CITY OF CHICAGO, *et al.*,

Defendants.

Case No. 17-cv-4467
Hon. John Z. Lee

**MOTION FOR EXTENSION OF TIME
FOR INDIVIDUAL DEFENDANTS TO MOVE TO DISMISS**

Defendant, City of Chicago (the “City”), on behalf of the 17 individual Chicago Police Officers (“Individual Defendants”) named in plaintiffs’ Amended Complaint, respectfully requests an extension of time of 21 days for the Individual Defendants to move to dismiss certain claims set forth in the Amended Complaint. In support of its motion, the City states as follows:

1. On June 14, 2017, plaintiffs filed their Complaint naming the City and the Individual Defendants as defendants. See Dkt. No. 1.

2. On July 10, 2017, the Court granted the City’s request that defendants be given leave until August 21, 2017 to file motions to dismiss. See Dkt. No. 67.

3. An amended complaint was filed on July 26, 2017 (the “Amended Complaint”).

See Dkt. No. 71.

4. The Amended Complaint is 137-pages long, contains 374 allegations, and asserts 10 counts of relief.

5. Service was completed on the 17 Individual Defendants on or about July 31, 2017.

6. The Individual Defendants are still in the process of formalizing the retention of counsel in this matter.

7. It is anticipated that the Individual Defendants will begin to retain counsel within the next 7 to 10 days and that the Individual Defendants will be in a position to file their anticipated motions to dismiss the Amended Complaint shortly thereafter.

8. The extension of time requested is necessary to allow the Individual Defendants time to consult and confer with counsel about the Amended Complaint so as to adequately address the allegations.

9. General allegations against the City are addressed in the motion to dismiss filed on August 21, 2017.

10. It is anticipated that the Individual Defendants will, eventually, join the applicable portions of the motion to dismiss filed by the City, but it is also expected that the Individual Defendants will have additional and separate arguments for dismissal—including the following:

- a. Dismissal of the claims based on *conspiracy* as the plaintiffs allege no actual facts about the purported conspiracy or any alleged agreements—nor do they allege any facts that suggest that Individual Defendants involved in any one occurrence have, or had, knowledge about any other occurrence referenced in the Amended Complaint. Plaintiffs' general allegations and accusations that the Individual Defendants conspired with one another or acted in concert are completely unsupported.
- b. Dismissal of all claims based on the Individual Defendants' alleged failure to intervene as these claims are inadequately pled and inconsistent with plaintiffs' excessive force allegations.

11. As previously stated, the Individual Defendants need to finalize their legal representation and confer with counsel. Each of these things, provides good cause for an extension of time.

12. If granted, the extension of time is not expected to effect the October 4, 2017 deadline for the Individual Defendants to answer the Amended Complaint nor the parties' proposed discovery schedule. In addition, the City proposes that the deadlines for plaintiffs' response to the Individual Defendants' motion to dismiss and the Individual Defendants' reply in support of their motion remain in place as previously ordered.

13. Prior to filing this motion, the City advised plaintiffs' counsel of the need and reasons for the relief sought herein.

14. This motion is not being interposed for purposes of delay, but to allow the Individual Defendants adequate time to retain counsel and prepare appropriate responses to the Amended Complaint.

WHEREFORE, the City, on behalf of the Individual Defendants, requests that the Court enter an order (i) extending the Individual Defendants' time to move to dismiss the Amended Complaint to September 18, 2017; (ii) setting October 20, 2017 as the date for plaintiffs to file a response to the motion to dismiss; (iii) setting November 20, 2017 as the date for the Individual Defendants to file a reply in support of the motion to dismiss; and (iv) granting such additional relief as the Court deems fair, appropriate and just.

Dated: August 21, 2017

Respectfully submitted,

CITY OF CHICAGO

By: /s/ Heather A. Jackson
One of its Attorneys

Allan T. Slagel (ARDC No. 6198470)
aslager@taftlaw.com
Heather A. Jackson (ARDC No. 6243164)
hjackson@taftlaw.com
Jeffrey M. Schieber (ARDC No. 6300779)
jschieber@taftlaw.com
TAFT STETTINIUS & HOLLISTER LLP
111 East Wacker
Suite 2800
Chicago, Illinois 60601
Telephone: (312) 527-4000
Facsimile: (312) 527-4011